[Mr. L. R. Raja Raja Varma Koiltampuran.]

X. GUARDIANSHIP.

i. The following persons or classes of persons shall succeed as guardians of minors in order, the latter substituting the former owing to absence or disqualification.

Mother, father;
Brothers, sisters—in the order of seniority of age under each class;
Mother's mother;
Mother's brothers, mother's mother's brothers—in the order of seniority of age under each class;
Mother's father.

ii. Disqualifications for guardianship referred to above are,

(*a*) No person debarred by an order of a Court from being a guardian in any particular instance shall unless the order be revoked or specially permitted by the Court in any other particular instance have any right to be a guardian.

(*b*) Except a father or a mother unless prohibited by a Court shall continue to be guardians, no person adjudicated insolvent by a competent Court of Law or convicted of any criminal offence that implies a defect of character shall be a guardian.

iii. In the absence of all of those mentioned in sub-section (i) above, or disqualification for them, the guardianship will be decided by the District Munsiff having local jurisdiction on an application by any interested or the Court can proceed direct to make such arrangements as may be necessary for the protection when it deems fit to do so.

DEPUTY PRESIDENT: Do you want more time Mr. Koiltampuran? If you propose to finish in a few minutes, I shall allow you to proceed. If not I propose to stop now.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): കുറെ സമയം വേണം.

DEPUTY PRESIDENT: We rise now and meet at quarter to 3.

The Council adjourned for lunch at 2 P. M. and re-assembled at 2-45 P. M.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): I had finished clause 01(iii) under "Guardianship."

(iv) Guardian rights including parental rights are exercised only in the interests of the children, and in case of unlawful exercise by them of their rights or non-fulfillment by them of their duties, the Court is empowered to deprive them of the custody and guardianship of the children and to place them in charge of any other person preferably next of kin in the above order.

Nevertheless the Court may order the parents as well as all responsible for the same to contribute to the maintenance of such children.

In such instances the Court may interfere direct or proceed on an application by any interested and after summary enquiry may transfer guardianship altogether or impose such suitable restrictions therein.

(v) When the parents do not live together they are entitled to decide by mutual agreement under whose guardianship the minor children shall reside during such time; in the absence of such agreement the presumption will be that the guardianship rests with the father or mother with whom they reside and when not with any of them according to the provisions above.

(vi) Except that the other partner-in-marriage and then the major male children and major female children (according to seniority of age under each class) shall have preference over all the rest, the provisions under "Guardianship" so far as it may be applicable, may be applied to persons declared insane or feeble-minded.

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